

ZB# 72-1

Joseph Ruscitti

(no SBL given)

Public hearing

Jan. 3 - 8:30 a.m.

all ~~was~~ respd.

granted on 1/3/72.

72-1
Jos. Quinetti

Filed 1/11/72
9:00 AM

W. J. D. Smith

PUBLIC NOTICE OF HEARING BEFORE THE ZONING BOARD OF APPEALS
PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Town of New Windsor, New York, will hold a public hearing pursuant to Section 48-39A of the Zoning Ordinance on the following proposition:
 Appeal No. 1
 Request of Joseph Ruscitti for a Variance of the regulations of the Zoning Ordinance to permit a Variance of the lot width being a Variance of Article IV, Section 48-14C for property owned by him situated as follows: property located at No. 433 Walnut Avenue, New Windsor, N.Y.
SAID HEARING will take place on the 3rd of Jan. 1972 at the New Windsor Town Hall, 655 Union Avenue beginning at 8:30 o'clock P.M.
FRED WYGANT
 Chairman
 By **PATRICIA DELIO**
 Secretary
 New Windsor Zoning Bd. Of Appeals
 7 Franklin Ave.
 New Windsor, N.Y. 12550

Dec. 24th

Subscribed and sworn to before me this
 27th day of December 1971

State of New York
 County of Orange, ss:

Hugh V. Nocton, being duly sworn deposes and says that he is Principal Clerk of Newburgh-Beacon News Co., Inc., Publisher of The Evening News, a daily newspaper published and of general circulation in the Counties of Orange and Dutchess, and that the notice of which the annexed is a true copy was published One Time

in said newspaper, commencing on the 24th day of December A.D., 1971, and ending on the 24th day of December A.D., 1971

Hugh V. Nocton

[Signature]

Notary Public of the State of New York, County of Orange.
 MY COMMISSION EXPIRES MARCH 30, 1973



Adopted 12/20/65

APPLICATION FOR VARIANCE

Application # 72-1

Date: Dec. 30, 1971

TO THE ZONING BOARD OF APPEALS OF THE TOWN OF NEW WINDSOR, NEW YORK

I (WE) Joseph Ruscitti of 22 Clintonwood Drive

(Street & Number)

New Windsor Newburgh N.Y.

HEREBY MAKE

9 (State)

APPLICATION FOR A VARIANCE:

A. LOCATION OF THE PROPERTY 33 Walnut Street
(Street & Number) (Use district on Map)

B. PROVISION OF THE ZONING ORDINANCE APPLICABLE: (Indicate the article, by number, sub-section and paragraph of the Zoning Ordinance applicable. Do not quote the ordinance: 58-33-4 48-14C)

C. NOTE: NECESSARY FINDINGS: Before any Variance is granted, the Zoning Board of Appeals must find all of the following conditions to be present:

1. Conditions and circumstances are unique to the applicant's lands, structures or building and do not apply to the neighboring lands, structures or buildings in the same zone because:

Total square footage ample for zoning, front footage is only 100 feet and should be 150 feet but there is no more land available

2. Strict application of the provisions of the ordinance would deprive the applicant of a reasonable use of the land, structure or building in a manner equivalent to the use permitted to be made by other owners of their neighboring lands, structures or buildings in the same zone because:

There is no more land available

3. The unique conditions and circumstances are not the result of actions taken of the applicant subsequent to the adoption of the Ordinance because:

4. Relief, if approved will not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance because: _____

5. Relief, if approved, will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zone because: _____

- D. Describe in detail how the property is to be used and submit plans or sketches in duplicate.

- E. Application to be accompanied by a check, payable to the Town of New Windsor in the amount of \$10.00 . Application to be returned to: Secretary of the Zoning Board of Appeals.

- F. NOTICE OF HEARING: Applicant agrees to send notice of any public hearing via registered mail to all abutting land owners as required by Section 9.4.1 of the Ordinance.

- G. If the property in question is located within a radius of 500 ft. of an adjoining municipality, the Board should be notified.

Dated: Dec. 30, 1971

Joseph Russett
Signature of Applicant

STATE OF NEW YORK)
COUNTY OF ORANGE)

Sworn to this 30 day of Dec - 1971

22 Chautauwood Dr
Address

Heather Bedney
(Notary Public)

Notary Public, State of New York
Residing in Orange Co.
County Clerk's #718

2-6029
Telephone No.

Application No. 72-1
Date of Hearing Dec. 3, 1972
Date of Decision "

Date Received Dec. 20, '72
Notice Published Dec. 24, 1972

DECISION:

granted

file

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR, NEW YORK

Forge Hill Rd.
New Windsor, N Y.
January 4, 1972

Mr. Joseph Ruscitti
22 Clintonwood Drive
New Windsor, N. Y. 12550

RE: APPLICATION for VARIANCE
Public Hearing - January 3, 1972

Dear Mr. Ruscitti:

We are happy to inform you that your above variance
before the Zoning Board of Appeals has been granted at the
January 3, 1972 meeting.

Yours truly,

Fred Wygant.

FRED WYGANT, CHAIRMAN

/pd

cc: Howard Collett, Bldg. Inspector
Theodore F. Marsden, Supervisor

1/3/72.

Public Hearing 8:30 - Joseph Luscitti

<u>Name</u>	<u>Address</u>
Arthur Miller	7 Rocky Lane, New Windsor, N.Y.
Emilia Panella	410 Bloomingme Tpk. New Windsor, N.Y.
V. Brana	220 29 New Windsor N.Y.
L. Ludy	200 Mac Arthur Ave. New Windsor, N.Y.
R. Steyer	202 Mac Arthur Ave New Windsor, N.Y.
Marian LeMungon	23 Walnut St, New Windsor, N.Y.
Albert LeMungon	23 Walnut St, New Windsor, N.Y.



OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

December 22, 1971

Mr. Joseph Ruscitti
22 Clintonwood Drive
New Windsor, New York 12550

Dear Joe:

The following is a list of property owners
within the five hundred (500) feet of the area
you inquired about:

Edward Starr
Melrose Avenue, MD #23
New Windsor, New York 12550

Alex Zgrodek
9 Walnut Street
New Windsor, New York 12550

Leonard S. & Anne E. Roche, Sr.
5 Walnut Street
New Windsor, New York 12550

Alphonse & Mary C. Jannotti
102 Cedar Avenue
New Windsor, New York 12550

Alfred Grieco
27 Walnut Street
New Windsor, New York 12550

Gordon Louis & Eleanor Mae Robinson
25 Walnut Street
New Windsor, New York 12550

Albert B. & Marion Lemunyan
P. O. Box 49
New Windsor, New York 12550

Joseph & Ann B. Chernek
21 Walnut Street
New Windsor, New York 12550

Ray C. & Barbara Jean Gordon
81 Locust Avenue
New Windsor, New York 12550



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RE: Mr. Joseph Ruscitti

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Joseph F. & Jane James
22 Locust Avenue
New Windsor, New York 12550

Hilton, Gibson & Miller, Inc.
208 MacArthur Avenue
New Windsor, New York 12550

Robert E. Lorenzen
31 Walnut Street
New Windsor, New York 12550

New Windsor Veterans Association, Inc.
Walnut Avenue & MacArthur Avenue
New Windsor, New York 12550

Thomas S. & Anna M. Leidy, Jr.
200 MacArthur Avenue
New Windsor, New York 12550

Richard C. V. & Sharon A. Steger
MacArthur Avenue, MD #23
New Windsor, New York 12550

James E. & Joyce Hoffman
204 MacArthur Avenue
New Windsor, New York 12550

Robert E. & Betty J. Lorenzen
31 Walnut Street
New Windsor, New York 12550

Claude L. Needes
Elmerdorf Drive, RFD #7
Kingston, New York 12550

Westchester Concrete, Inc.
188 Tarrytown Road
Elmsford, New York



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Ellsworth E. Weyant
555 Union Avenue
New Windsor, New York 12550
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RE: Mr. Joseph Ruscitti

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Dellop Realty Company
c/o Monarch Metal Company
MacArthur Avenue, MD #23
New Windsor, New York 12550

Anthony Amoia
McCall Place, MD #25
Newburgh, New York 12550

Pennant Electronics Corporation
MacArthur & Walnut Avenues
New Windsor, New York 12550

The Town of New Windsor
555 Union Avenue
New Windsor, New York 12550

Murray Gold & Benjamin Feinstein
80 19th Street
Brooklyn, New York

John F. Abbruscato
Royal Food Products
Walnut Street
New Windsor, N.Y. 12550

Boy Scouts of America
Quassaick Fire ~~XXXXX~~ Company
Walsh Road
New Windsor, N.Y. 12550

Respectfully submitted,

Ellsworth E. Weyant
ELLSWORTH E. WEYANT
Assessor
Town of New Windsor

EEW:pt
Encls.

PROCEDURE FOR A PUBLIC HEARING

In order to prepare for a public hearing before the New Windsor Zoning Board of Appeals, applicant must first prepare a public hearing notice, said publication to appear in the newspaper only once at least 10 days prior to the hearing date. When notice has been prepared, return it to the Zoning Board Secretary (address below) so that she may publish same at the expense of the applicant. An application also must be filled out and returned to the secretary.

Registered ^{or certified} letters are to be sent to all residents and property owners within a radius of 500 ft. of the property in question. This list may be obtained from the Assessor's office. All registered letters must have return receipts. All return receipts, copy of published notice, copy of registered letter and all site plans with measurements must be presented at the public hearing by applicant. Please include a list of names and addresses of all property owners within 500 ft. for the record. A fee of \$25.00 ^{plus 25.00 for Secretary for hearing} should accompany all applications, payable to the Town of New Windsor.

Please have your attorney determine whether Sec. 239-m of the General Municipal Law is applicable to your application and, if so, comply therewith.

Return all applications, notices of publication, etc. to:

Patricia Delio, Secretary
New Windsor Zoning Board of Appeals
7 Franklin Avenue, M. D. 42
New Windsor, N.Y. 12550
Tel: 56 2-7107

